

Amend 7-15-4214

7-15-4214. Hearing on urban renewal plan required. (1) All affected taxing entities ~~The local governing body~~ shall hold a public hearing and approve on an the urban renewal plan presented by the local governing body after public notice thereof.

Section 8. Right of participation. The public has the right to expect governmental agencies to afford such reasonable opportunity for citizen participation in the operation of the agencies prior to the final decision as may be provided by law.

Page 10 line 14

Amend 7-15-4233

7-15-4233 (1)(m) strike ~~compulsory~~

Page 14 line 18

Repeal 7-15-4257. Authority to enter private property. (1) Every municipality shall have power, within the municipality, to enter upon any building or property in any urban renewal area in order to make surveys and appraisals and to obtain an order for this purpose from a court of competent jurisdiction in the event entry is denied or resisted.

(2) Such entries shall be made in such manner as to cause the least possible inconvenience to the persons in possession.

History: En. Sec. 7, Ch. 195, L. 1959; amd. Sec. 3, Ch. 210, L. 1969; R.C.M. 1947, 11-3907(part).

Page 19 line 1 thru 7

Constitution of Montana -- Article II -- DECLARATION OF RIGHTS

Section 10. Right of privacy. The right of individual privacy is essential to the well-being of a free society and shall not be infringed without the showing of a compelling state interest.

Amend 7-15-4286 Procedure to determine and disburse tax increment. (2)

Except for the university system, all public employees retirement and 20-9-331, 20-9-333, 20-9-360 mills levied and assessed against property

Page 28 line 27

Constitution of Montana -- Article VIII -- REVENUE AND FINANCE

Section 15. Public retirement system assets. (1) Public retirement systems shall be funded on an actuarially sound basis. Public retirement system assets, including income and actuarially required contributions, shall not be encumbered, diverted, reduced, or terminated and shall be held in trust to provide benefits to participants and their beneficiaries and to defray administrative expenses.

CHAPTER 2. PUBLIC EMPLOYEES' RETIREMENT GENERAL PROVISIONS

19-2-505. Restrictions on use of funds. (2) The assets of the retirement systems, including the assets of retirement accounts, may not be used for or diverted to any purpose other than for the exclusive benefit of the members and their beneficiaries and for paying the reasonable administrative expenses of the retirement systems administered by the board.

CHAPTER 20. TEACHERS' RETIREMENT

19-20-502. Restrictions on use of money. (2) The assets of the retirement system may not be used for or diverted to any purpose other than for the exclusive benefit of the members and their beneficiaries and for paying the reasonable expenses of administering the retirement system.

CHAPTER 18. FIREFIGHTERS' RETIREMENT

19-18-203. Use of disability and pension fund. The fund may not be used for any purpose other than investment,

CHAPTER 19. POLICE RETIREMENT -- LOCAL FUNDS

19-19-202. Limit on use of fund. (2), a police retirement fund may not be used for any purpose other than to make payments authorized by this chapter to members of the police department on the retired list and to make authorized investments.

Regular City Council Meeting

Resolution Approving Use of Contingency Funds for TIFD Analysis

Date:

10/12/2010

PRESENTED BY:

Tina Volek

Department:

City Hall Administration

PROBLEM/ISSUE STATEMENT

Big Sky Economic Development Executive Director Steve Arveschoug appeared at the Sept. 20 Council work session to request an \$8,000 contribution from the City to help pay for an economic impact analysis of Tax Increment Financing Districts (TIFDs). The analysis will cost \$19,000 and is intended to provide a comprehensive analysis of the effect of TIFDs on the community. It would be conducted by Dr. Scott Rickard through the Montana State University-Billings Urban Institute.

URBAN INSTITUTE ADVISORY BOARD

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Lois Bent - KEMC

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John Felton – City/County Health Dept.

Harry Gottwals – Janus Group

Michael Gullede – Lee Enterprises

Karen Heikel – Dean, CPSLL MSU-B

Jeff Junkert – Junkert Construction

Lyle Knight – 1st Interstate Bank System

Greg Krueger – Downtown Billings

Joe McClure – Advanced Care Hospital

Greg McDonald – Wendy's of Montana

Kendall Merrick – Rimrock Mall

Chris Montague – Montague Jewelers

Lynda Moss – State Senate and FCV

James Paquette – St. Vincent Healthcare

Bruce Parker – First Interstate Bank

Michael Sanderson – Engineering, Inc.

Ronald Sexton – Chancellor, MSU-Billings

Leonard Smith – Native American Dev. Corp.

Alvin Swanson – CEO, Grubb & Ellis (ret)

Tina Volek – Billings City Administrator

Bruce Whittenberg – Leadership Montana

Nicholas Wolter – Billings Clinic

Gary Young – College of Business,

Foxes watching the hen house

Section 3. Public school fund inviolate. The public school fund shall forever remain inviolate, guaranteed by the state against loss or diversion.

Part 3. Funding of Basic System of Quality Public Schools

20-9-309. Basic system of free quality public elementary and secondary schools defined -- identifying educationally relevant factors -- establishment of funding formula and budgetary structure -- legislative review. (1) Pursuant to Article X, section 1, of the Montana constitution, the legislature is required to provide a basic system of free quality public elementary and secondary schools throughout the state of Montana that will guarantee equality of educational opportunity to all.

20-9-331. Basic county tax for elementary equalization and other revenue for county equalization of elementary BASE funding program. (1) Subject to 15-10-420, the county commissioners of each county shall levy an annual basic county tax of 33 mills on the dollar of the taxable value of all taxable property within the county,

20-9-333. Basic county tax for high school equalization and other revenue for county equalization of high school BASE funding program. (1) Subject to 15-10-420, the county commissioners of each county shall levy an annual basic county tax of 22 mills on the dollar of the taxable value of all taxable property within the county

20-9-360. State equalization aid levy. Subject to 15-10-420, there is a levy of 40 mills imposed by the county commissioners of each county on all taxable property within the state

Section 10. State university funds. The funds of the Montana university system and of all other state institutions of learning, from whatever source accruing, shall forever remain inviolate and sacred to the purpose for which they were dedicated. The various funds shall be respectively invested under such regulations as may be provided by law, and shall be guaranteed by the state against loss or diversion. The interest from such invested funds, together with the rent from leased lands or properties, shall be devoted to the maintenance and perpetuation of the respective institutions.

Tax Abatement Laws

15-24-1402. New or expanding industry -- assessment -- notification.

(4) The tax benefit described in subsection (1) applies only to the number of mills levied and assessed for local high school district and elementary school district purposes and to the number of mills levied and assessed by the governing body approving the benefit over which the governing body has sole discretion. The benefit described in subsection (1) may not apply to levies or assessments required under Title 15, chapter 10, 20-9-331, 20-9-333, or 20-9-360 or otherwise required under state law.

15-24-1501. Remodeling, reconstruction, or expansion of buildings or structures -- assessment provisions -- levy limitations.

(3) The tax benefit described in subsection (1) applies only to the number of mills levied and assessed for high school district and elementary school district purposes and to the number of mills levied and assessed by the local governing body approving the benefit. The benefit described in subsection (1) may not apply to statewide levies.

15-24-1603. Historic property tax abatement -- levy limitations (4)

(a) The tax abatement applies only to the number of mills levied:

- (i) for high school and elementary school district purposes; and
- (ii) by the local governing body approving the abatement.

(b) The abatement may not apply to statewide levies.